IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 3265 of 2005

Between:

Battula Kamalamma, w/o.Chandra Rao,

Aged 62 years, R/o.Gowripatnam Village, Devarapalli Mandal,

West Godavari District.

..... PETITIONER

AND

1. Eastern Distribution Company of Andhra Pradesh Limited,

Daba Gardens, Visakhapatnam, rep. By its Chairman and Managing Director

2 Transmission Corporation of Andhra Pradesh Limited, vidyut Soudha, Khairatabad, Hyderabad, rep. By its Chairman and Managing Director

3 Superintending Engineer, Electrical, Operation, Eastern Distribution Company of Andhra Pradesh Limited, Eastern Street, Eluru, W.G. district.

4 Divisional Electrical Engineer, Operation, Eastern Distribution Co., of Andhra Pradesh Limited, Nidadavole, W.G. Dsitrict.

5 Asst. Accounts Officer, Electricity, Revenue Office, Eastern Distribution co., of Andhra Pradesh Limited, Nidadavole, W.G. District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ in the nature of writ of mandamus or any other appropriate writ, or writs order or direction, declaring the action of the respondents in not restoring power supply to the petitioner under service connection bearing No.102 of Gowripatnam Village Devarapalli Mandal, West Godavari District, as illegal, arbitrary and without

jurisdiction and to consequently direct the respondents to forthwith restore the power supply to the petitioner under above service connection by collecting arrears, energy charges etc. in respect of the said service connection; Award costs and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.RAGHUVEER REDDY

Counsel for the Respondents: Mr V.AJAY KUMAR, SC FOR AP TRANSCO

The Court made the following :

ORDER:

The petitioners claim to have purchased about Ac.12.00 of land in various Survey Numbers in Gowripatnam Village of Devarapalli Mandal, West Godavari District from the original owners through sale deed, dated 08.11.2004. The land was extended the power supply, but was disconnected on 17.02.2003. After purchasing the land, the petitioners made a representation, dated 22.01.2005 requesting the respondents to restore the power supply. Their complaint is that no action has been taken thereon.

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

The power supply that was extended to the lands referred to above is said to have been disrupted on 17.02.2003 for non-payment of consumption charges. The terms and conditions of supply provide for restoration of power supply on payment of the due of arrears together with reconnection charges. The petitioner had stepped into the shoes of the previous owners and she is entitled to seek restoration of power supply subject to payment of arrears. The respondents cannot keep the application for restoration of supply pending. They have to indicate the nature of steps to be taken by the petitioner for restoration of power supply.

Hence, the writ petition is disposed of, directing the respondents to take necessary steps for restoration of supply to the lands referred to above, within four weeks from the date of receipt of a copy of this order. The petitioner shall be under obligation to pay the arrears of power supply and to comply with other conditions that may be imposed by the respondents for restoration of power supply. There shall be no order as to costs.

23.02.2005

Jsu

To

1. The Chairman and Managing Director, Eastern Distribution Company of Andhra Pradesh Limited, Daba Gardens, Visakhapatnam,

2 The Chairman and Managing Director, Transmission Corporation of Andhra Pradesh Limited, vidyut Soudha, Khairatabad, Hyderabad.

3 The Superintending Engineer, Electrical, Operation, Eastern Distribution Company of Andhra Pradesh Limited, Eastern Street, Eluru, W.G. district.

4 The Divisional Electrical Engineer, Operation, Eastern Distribution Co., of Andhra Pradesh Limited, Nidadavole, W.G. Dsitrict.

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